

## REQUEST FOR FILING A CONTINUATION OR DIVISION OF AN INTERNATIONAL APPLICATION

| DOCKET NUMBER | ANTICIPATION CLASSIFICATION OF THIS APPLICATION |          | PRIOR APPLICATION EXAMINER | ART UNIT |
|---------------|-------------------------------------------------|----------|----------------------------|----------|
| 2543-1-031    | CLASS                                           | SUBCLASS |                            |          |

## Address to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

This is a request for filing a ☒ continuation ☐ divisional application under 37 CFR 1.53(b) of pending prior international application Number PCT GB02/02047, filed on May 2, 2002 entitled Proteins and Genes for Diagnosis and Treatment of ErbB2-Related Cancer, which designated the United States.

Note: 37 CFR 1.53(d) cannot be used to file a continuation or divisional application of an international application which has not entered the national stage.

| CLAIMS                                                     | (1) FOR | (2) NUMBER FILED | (3) NUMBER EXTRA | (4) RATE                                                     | (5) CALCULATIONS |
|------------------------------------------------------------|---------|------------------|------------------|--------------------------------------------------------------|------------------|
| TOTAL CLAIMS<br>(37 CFR 1.16(c))                           |         | - 20 =           |                  | x \$ ----- =                                                 | \$               |
| INDEPENDENT CLAIMS (37 CFR 1.16(b))                        |         | - 3 =            |                  | x \$ ----- =                                                 |                  |
| MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d)) |         |                  |                  | x \$ ----- =                                                 |                  |
|                                                            |         |                  |                  | BASIC FEE<br>(37 CFR 1.16(a))                                |                  |
|                                                            |         |                  |                  | Total of above Calculations =                                |                  |
|                                                            |         |                  |                  | Reduction by 50% for filing small entity (Note 37 CFR 1.27). |                  |
|                                                            |         |                  |                  | Total =                                                      |                  |

- Enclosed are the specification, claims and drawing(s).
- ☒ Applicant claims small entity status. See 37 CFR 1.27.
- ☐ The Director is hereby authorized to charge any fees which may be required under 37 CFR 1.16 and 1.17, or credit any overpayment of Deposit Account No. \_\_\_\_\_. A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$ \_\_\_\_\_ is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ Application Data Sheet is enclosed. See 37 CFR 1.76.
- ☐ Amend the specification by inserting before the first line the sentence: "This application is a ☐ continuation ☐ division of international application number PCT \_\_\_\_\_, filed \_\_\_\_\_ (status, abandoned, pending, etc.)."

[Page 1 of 2]

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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8. ☒ A declaration under CFR 1.63 is enclosed. UNEXECUTED9. ☒ Priority of foreign application number 0110886.9 filed on May 3, 2001 and  
0128183.1 filed on November 23, 2001  
in Great Britain is claimed under 35 U.S.C. 119(a)-(d).☐ The certified copy is enclosed.10. ☐ A preliminary amendment is enclosed.11. ☒ Also enclosed:Drawings - 3 Sheets - Figures 1-3

Address all future correspondence to: (May only be completed by applicant, or attorney or agent or record).

David A. JacksonKlauber & Jackson, 411 Hackensack Ave., 4th Floor, Hackensack, NJ 07601

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Nov. 3, 2003  
Date201-487-5800

Telephone Number

  
SignatureDavid A. Jackson, Esq.

Typed or printed name

26,742

Registration Number, if applicable

☐ Inventor(s)/Applicant(s)☐ Assignee of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).☒ Attorney or agent of record☐ Filed under 37 CFR 1.34(a)  
Registration number if acting under 37 CFR 1.34(a) \_\_\_\_\_

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☐ \*Total of \_\_\_\_\_ forms are submitted.